

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

KENNY LEBRON, MARTINA HANISCH and
JASON HAZZARD, individually and on behalf of all
others similarly situated,

Plaintiffs,

vs.

APPLE-METRO, INC., 42ND APPLE LLC, 117TH
APPLE, LLC, AIRMONT APPLE, LLC, ASTORIA
APPLE, LLC, AT APPLE, LLC, BAY PLAZA APPLE,
LLC, BAY TERRACE APPLE, LLC, BED-STUY
APPLE, LLC, BROADWAY APPLE, LLC, BTM
APPLE, LLC, CORTLANDT APPLE, LLC, CROSS
COUNTRY APPLE, LLC, CROSSROADS APPLE,
LLC, EB APPLE, LLC, EXPRESSWAY APPLE, LLC,
FLATBUSH APPLE, LLC, FORDHAM APPLE, LLC,
FRESH MEADOWS APPLE, LLC, HARLEM APPLE,
LLC, HAWTHORNE APPLE, LLC, JAMAICA
APPLE, LLC, KISCO APPLE, LLC, MAMARONECK
APPLE, LLC, NEW DORP APPLE, L.L.C., NEW
ROCHELLE APPLE, LLC, OUTERBRIDGE APPLE,
LLC, PORT CHESTER APPLE, LLC, QUEENS
CENTER APPLE, LLC, REGO PARK APPLE, LLC,
RIVERDALE APPLE, LLC, S.I. MALL APPLE, LLC,
SHEEPSHEAD APPLE, LLC, SVC APPLE, LLC,
TRIANGLE APPLE, LLC, AND WHITE PLAINS
APPLE, LLC,

Defendants.

Civil Action No. 13 Civ. 1411
(PKC)(HBC)

**NOTICE OF VOLUNTARY
DISMISSAL PURSUANT TO
FED. R. CIV. P. 41(a)(1)(A)(i)**

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiffs Kenny Lebron, Martina Hanisch, Jason Hazzard, and their counsel, The Ottinger Firm, P.C., hereby give notice that the above captioned action is voluntarily dismissed, without prejudice, against all Defendants. These Defendants are: Apple-Metro, Inc., 42nd Apple LLC, 117th Apple, LLC, Airmont Apple, LLC, Astoria Apple, LLC, AT Apple, LLC, Bay Plaza Apple, LLC, Bay Terrace Apple, LLC, Bed-Stuy Apple, LLC, Broadway Apple, LLC, BTM Apple, LLC, Cortlandt Apple,

LLC, Cross Country Apple, LLC, Crossroads Apple, LLC, EB Apple, LLC, Expressway Apple, LLC, Flatbush Apple, LLC, Fordham Apple, LLC, Fresh Meadows Apple, LLC, Harlem Apple, LLC, Hawthorne Apple, LLC, Jamaica Apple, LLC, Kisco Apple, LLC, Mamaroneck Apple, LLC, New Dorp Apple, L.L.C., New Rochelle Apple, LLC, Outerbridge Apple, LLC, Port Chester Apple, LLC, Queens Center Apple, LLC, Rego Park Apple, LLC, Riverdale Apple, LLC, S.I. Mall Apple, LLC, Sheepshead Apple, LLC, SVC Apple, LLC, Triangle Apple, LLC, and White Plains Apple, LLC.

Dated: June 28, 2013
New York, New York

Respectfully submitted,

THE OTTINGER FIRM, P.C.

By: /s/ Ariel Y. Graff
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Ariel Y. Graff

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